



ENERGY AND ENVIRONMENT CABINET

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

DIVISION OF WATER

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Leonard K. Peters
Secretary

R. Bruce Scott
Commissioner

Sandra L. Gruzesky
Director

August 30, 2011

Dear Applicants:

Re: Analytical Methods Demonstration of Capability for laboratories performing testing for Division of Water compliance terms.

This notification revises the previous letter dated April 12, 2011, Pre-Application Sampling Requirements for coal mining operation in Kentucky seeking an individual KPDES permit.

The Division of Water (DOW) has recently undergone discussion concerning the required testing methods for chemical parameters conducted to meet permit requirements under the KPDES program. Permit language and the April 12 letter have both specified required test methodologies on which to analyze data for chemical parameters.

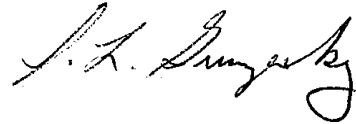
DOW has determined that previously-specified test methods are not the only test methods that may be accepted under current permit monitoring plans. Further, DOW has determined that previously-specified test methods may have minimum detection limits higher than those required to determine the reasonable potential of a discharge to cause or contribute to an excursion of the water quality criteria found at 401 KAR 10:031, depending on laboratory capability.

As stated in 401 KAR 5:065 Section 2(8), chemical parameters must be analyzed under methods listed in 40 CFR Part 136.3, or other alternate test methods that have garnered approval from the Environmental Protection Agency (EPA).

Effective July 18, 2011, any laboratory that wishes to perform analysis of wastewater in support of application or permit requirements must show that they can meet minimum detection limits required to evaluate water quality permit limits using any method specified in 40 CFR Part 136.3. In order to show this capability, laboratories are required to submit Demonstration of Capability results for parameter-specific lab studies. The documentation and worksheets for demonstrating capability are available at:
<http://water.ky.gov/permitting/Pages/WasteWaterCertification.aspx>.

If you have any questions regarding the Division's decision, please contact Lisa Hicks at (502) 564-3410 x 4946, or by email at lisa.hicks@ky.gov, or Patrick Garrity (502) 564-3410 x 4968, email patrick.garrity@ky.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "S. L. Gruzesky", with a stylized flourish at the end.

Sandra L. Gruzesky
Director
Division of Water

SJG:lah/hnd